

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Jerry Slight, *et al.*,

Case No. 3:20-cv-1590

Plaintiffs,

v.

ORDER

International Union, United Automobile,
Aerospace and Agricultural Implement
Workers of America, *et al.*,

Defendants.

All Defendants except for Michael Brown, Keith Mickens, and Norwood Jewell moved to dismiss Plaintiffs' Amended Complaint. I concluded that, in light of the Sixth Circuit's decision in *Baltrusaitis v. Int'l Union, United Auto., Aerospace & Agric. Implement Workers of Am.*, 86 F.4th 1168 (6th Cir. 2023), Plaintiffs' RICO claims are barred by the four-year statute of limitations. (Doc. No. 110). I dismissed Counts I and II as time-barred and declined to exercise supplemental jurisdiction over Plaintiffs' state-law claim in Count III.

In certain circumstances, a court may dismiss a plaintiff's claim *sua sponte*, including when a statute of limitations defect is obvious from the face of the complaint. *Alston v. Tennessee Dep't of Corr.*, 28 F. App'x 475, 476 (6th Cir. 2002) (citing *Pino v. Ryan*, 49 F.3d 51, 53-54 (2d Cir. 1995)). Because that circumstance exists in this case, I also dismiss Counts I and II, and decline to exercise supplemental jurisdiction over Count III, as to Brown, Mickens, and Jewell

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge